

FORM PTO-1390
(REV. 10-94)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

270.62USWO

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

Unknown **097 980364**

INTERNATIONAL APPLICATION NO.

PCT/CA00/00642

INTERNATIONAL FILING DATE

June 2, 2000

PRIORITY DATE CLAIMED

June 2, 1999

TITLE OF INVENTION

USE OF THE BNM3 TRANSCRIPTIONAL ACTIVATOR TO CONTROL PLANT EMBRYOGENESIS AND REGENERATION
PROCESS

APPLICANT(S) FOR DO/EO/US

BOUTILER et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This expresses request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An unsigned oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98, form 1449, 10 references.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: International Search Report; International Preliminary Examination Report; PCT Request; PCT/IPEA/402; PCT/IB/306; PCT/IB/332; PCT/IB/304; PCT/IPEA/408; 13 pages of Sequence Listing; copy of published PCT application

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.9) Unknown 091 980304	INTERNATIONAL APPLICATION NO. PCT/CA00/00642	ATTORNEY DOCKET NUMBER 270.02USWO
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17. [X] The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO.....\$890.00 International preliminary examination fee paid to USPTO (37 CFR 1.492(a)(1)).....\$710.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$740.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(3)) paid to USPTO \$1040.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)\$100.00	CALCULATIONS PTO USE ONLY																				
ENTER APPROPRIATE BASIC FEE AMOUNT =	\$890.00																				
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$0																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 20%;">RATE</th> <th style="width: 20%;"></th> </tr> <tr> <td>Total claims</td> <td style="text-align: center;">74</td> <td style="text-align: center;">-20 = 54</td> <td style="text-align: center;">X \$18.00</td> <td style="text-align: right;">\$972.00</td> </tr> <tr> <td>Independent claims</td> <td style="text-align: center;">4</td> <td style="text-align: center;">-3 = 1</td> <td style="text-align: center;">X \$84.00</td> <td style="text-align: right;">\$84.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td style="text-align: center;">+ \$260.00</td> <td style="text-align: right;">\$0</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		Total claims	74	-20 = 54	X \$18.00	\$972.00	Independent claims	4	-3 = 1	X \$84.00	\$84.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$0	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																		
Total claims	74	-20 = 54	X \$18.00	\$972.00																	
Independent claims	4	-3 = 1	X \$84.00	\$84.00																	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$0																	
TOTAL OF ABOVE CALCULATIONS =	\$1946.00																				
Reduction by 1/2 for filing by small entity, if applicable. Small entity status is claimed pursuant to 37 CFR 1.27	\$0																				
SUBTOTAL =	\$1946.00																				
Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).	+ \$0																				
TOTAL NATIONAL FEE =	\$1946.00																				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	+ \$0																				
TOTAL FEES ENCLOSED =	\$1946.00																				
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Amount to be: refunded</td> <td style="width: 20%; text-align: center;">\$0</td> </tr> <tr> <td>charged</td> <td style="text-align: center;">\$0</td> </tr> </table>	Amount to be: refunded	\$0	charged	\$0																
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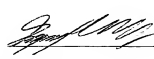
a. [X] Check in the amount of \$1946.00 to cover the above fees is enclosed.

b. [] Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
 A duplicate copy of this sheet is enclosed.

c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
 overpayment to Deposit Account No. 13-2725.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
 Gregory A. Sebald
 MERCHANT & GOULD
 P.O. Box 2903
 Minneapolis, MN 55402-0903

SIGNATURE: 

NAME: Gregory A. Sebald

REGISTRATION NUMBER: 33,280

Applicant: BOUTILIER et al.
 Docket: 270.62USWO
 Title: USE OF THE BNM3 TRANSCRIPTIONAL ACTIVATOR TO CONTROL PLANT EMBRYOGENESIS AND REGENERATION PROCESS

CERTIFICATE UNDER 37 CFR 1.10

Express Mail mailing label number: EV 037641387 US

Date of Deposit: November 30, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to: Box PCT, Commissioner for Patents, P. O. Box 2327, Arlington, VA 22202.

By: 

Name: Chris Stordahl

BOX PCT
 Commissioner for Patents
 P.O. Box 2327
 Arlington, VA 22202

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
- ☒ National Stage PCT Patent Application: Spec. 69 pgs; 74 claims; Abstract 1 pg.
The fee has been calculated as shown below in the 'Claims as Filed' table.
- ☒ 11 sheets of formal drawings
- ☒ An unsigned Combined Declaration and Power of Attorney
- ☒ A check in the amount of \$1946.00 to cover the Filing Fee
- ☒ Other: PTO-1390; Preliminary Amendment; Information Disclosure Statement, form 1449, 10 references; International Search Report; International Preliminary Examination Report; PCT Request; PCT/IPEA/402; PCT/IB/306; PCT/IB/332; PCT/IB/304; PCT/IPEA/408; 13 pages of Sequence Listing; copy of published PCT application as filed
- ☒ Return postcard

CLAIMS AS FILED

Number of Claims Filed	In Excess of:	Number Extra	Rate	Fee
Basic Filing Fee				\$890.00
Total Claims				
74	20	54	x 18.00	\$972.00
Independent Claims				
4	3	1	x 84.00	\$84.00
MULTIPLE DEPENDENT CLAIM FEE				\$0.00
TOTAL FILING FEE				\$1946.00

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.

P.O. Box 2903, Minneapolis, MN 55402-0903
 (612) 332-5300

By: 

Name: Gregory A. Sebald
 Reg. No.: 33,280
 Initials: GAS/tvm



(PTO TRANSMITTAL - NEW FILING)